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Counsel to Plaintiff RDC Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re:

ROCHESTER DRUG CO-OPERATIVE, INC.
Debtor.

Advisory Trust Group, LLC, as trustee of the RDC
LIQUIDATING TRUST,

Plaintiff.

v.

LAURENCE F. DOUD III, DONALD ARTHUR,
STEPHEN GIROUX, CHRISTOPHER CASEY,
GARRY MROZEK, RICHARD KLENK,
SHERWOOD KLEIN, JOSEPH LECH, BORIS
MANTELL, JOSEPH SCOTT MISKOVSKY, and
PAUL PAGNOTTA, individually as members of the
Debtor's Board of Directors,

Defendants.

Chapter 11

Case No. 20-20230 (PRW)

Adv. Proc. No. 22-02073 (PRW)

SECOND STIPULATION EXTENDING TIME TO ANSWER COMPLAINT

Plaintiff, RDC Liquidating Trust, through its trustee Advisory Trust Group, LLC
("Plaintiff"), successor in interest to Rochester Drug Co-Operative, Inc., and defendants, Sherwood

Klein and Paul Pagnotta (collectively, “Defendants,” and together with Plaintiff, the “Parties”), by and through their undersigned attorneys, hereby stipulate:

WHEREAS, on March 8, 2022, Plaintiff filed a complaint (the “Complaint”) against Defendants, and the summons (the “Summons”) was issued on March 9, 2022;

WHEREAS, on or after March 9, 2022, Defendants were served with the Summons and Complaint; and

WHEREAS, on April 1, 2022, the Parties stipulated to an extension of time to answer or otherwise respond to the Complaint through April 30, 2022 that was approved by an order of the Court [Docket No. 37].

NOW THEREFORE, the Parties stipulate and agree as follows:

1. Subject to this Court’s approval, Defendants are granted a further extension of time to answer the Complaint until **May 16, 2022**, provided that the Defendants shall file an answer and not otherwise respond by filing a 12(b)(6) motion to dismiss the Complaint.
2. Defendants do not challenge personal jurisdiction and waive any objection to service of process of the Summons and Complaint in this adversary proceeding.

Respectfully submitted,

Dated: April 19, 2022

PACHULSKI STANG ZIEHL & JONES LLP

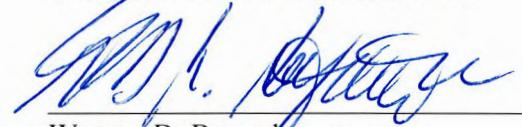
s/ Ilan D. Scharf

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Counsel to Plaintiff RDC Liquidating Trust

Dated: April 25, 2022

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*Counsel to Defendants Sherwood Klein and
Paul Pagnotta*

SO ORDERED:

DATED: _____, 2022
Rochester, New York

HON. PAUL R. WARREN
United States Bankruptcy Judge